

SB 857 (Kuehl)

Migratory fish passage

The Problem

Anadromous (migratory) fish populations have plummeted in the last hundred years, primarily from loss of habitat and lack of access to the habitat that remains. A key component of lack of access is the abundance of barriers to fish migration which block entry to spawning and rearing habitat. The majority of these barriers to fish passage are culverts located at road stream crossings. The California Department of Transportation (Caltrans) is aware that it has jurisdiction over more than 200,000 culverts statewide, but it has little information about their condition. The agency recently did a pilot study in Del Norte, Humboldt, and Mendocino counties revealing that over 81% of the culverts on salmon or steelhead streams failed to provide fish passage.

Several state agencies have combed a variety of sources for information on existing barriers to fish passage, and have generated both a report and database that lists potential barriers as well as high priority sites for remediation. These data are kept in a web-available database called “CalFish”, supported by multiple agencies and housed at the Department of Fish and Game (DFG). One key piece of information that was not included, however, is the description of the state-owned road stream crossings managed by Caltrans.

Caltrans staff has indicated that Caltrans is responsible over 200,000 culverts statewide but has little information on their location, age, or maintenance needs, or on whether or not they present barriers to migrating fish. This lack of information has real consequences on other restoration efforts in the state - on which state agencies alone have spent over \$200 million in the last five years - because the ability of fish to access habitat is unknown.

Existing law in the Fish and Game Code makes it unlawful in several Districts to construct or maintain a structure that impedes fish passage. The currently included Districts leave out much of southern California, along with other areas which are significant to salmonids.

The bill

This bill would direct Caltrans to complete surveys of its stream crossings on coastal streams and place the data in the state’s database, “CalFish” so it is readily available and can be used by federal, state, and local agencies to prioritize the remediation of barriers.

When performing work at a stream crossing on a stream where anadromous fish are or were present, Caltrans would be required to assess the crossing for potential barrier problems, and submit the assessment to the Department of Fish and Game. DFG reports that it would require any such problems to be addressed as part of the project through the permit process. In addition, Caltrans is directed to seek a streamlined permitting process relative to fishery issues to make it easier and faster to complete transportation projects.

The bill would also direct Caltrans, for any transportation project programmed for funding after January 1, 2006, on any project affecting a stream crossing on streams where anadromous fish are, or historically were, found, to assess the crossing for its potential to act as a barrier, and construct the project so that no barrier exists when construction is complete.

DFG Districts critical to the recovery of salmonids in the state would be added to the Fish and Game code.